

REMARKS

Applicants respectfully request entry of the proposed Response After Final and reconsideration of the present application in view of the following remarks. Prior to entry of this response, claims 30-58 were pending in the application, of which claims 30, 34-38, 42, 44-48, and 59 are independent. In the Office Action dated February 27, 2007, the Examiner rejected claims 30-33, 36-37, 39-44, 46, 49, 54-55, and 58-59 under 35 U.S.C. §102, and rejected claims 34-35, 38, 45, 47-48, 50-53, and 56 under 35 U.S.C. § 103(a). Following this response, claims 30-59 remain pending. Applicant hereby addresses the Examiner's objections and rejections in turn.

I. Rejection of the Claims Under 35 U.S.C. §§102(b)

In the February 27th Final Office Action, the Examiner rejected claims 30-33, 36-37, 39-44, 46, 49, 54-55, and 58-59 under 35 U.S.C. §102(b) as being anticipated by EP Publication No. 1 170 846 A1. As explained in Applicants' Amendment filed December 6, 2006, Goehlich is not §102(b) prior art against Applicant's application. Goehlich is a foreign patent that was published on January 9, 2002. The present application has a priority date of June 26, 2002, which was the filing date of International Application No. PCT/EP2002/007077, to which the present application is directed. Because Goehlich was neither granted nor published more than one year before Applicant's filing date, it cannot be cited against Applicant as §102(b) prior art.

During the April 18th Interview, the Examiner and Applicant's representative reached agreement that Goehlich is not §102(b) art against the present application. Accordingly, Applicant requests that the Examiner withdraw the rejection of the claims under §102(b), which were based solely on Goehlich.

II. Summary of Interview

Examiner Mayo and Applicants' representative, Cortney Alexander, participated in a telephonic interview regarding the February 27th Final Office Action. Applicants' representative observed that Applicants' December 6, 2006 Amendment pointed out that the reference relied on by the Examiner in making a rejection under 35 U.S.C. §102(b) was not prior art under §102(b), but that the Examiner had not responded to this argument in the February 27th Final Office Action. The Examiner agreed that the reference was not prior art under §102(b) and asked Applicants to submit an Amendment After Final addressing this issue. The Examiner agreed to withdraw the finality of the February 27th Office Action.

III. Conclusion

Applicant respectfully requests that this Response under 37 C.F.R. § 1.116 be entered by the Examiner in response to the Examiner's Final Office Action to address aspects of the pending claims that are not found in the art cited by the Examiner. Applicant submits that the proposed response does not raise new issues or necessitate the undertaking of any additional search of the art by the Examiner. Therefore, this Amendment should allow for immediate action by the Examiner. Moreover, Applicant submits that the entry of the Amendment would place the application in better form for appeal, should the Examiner dispute the patentability of the pending claims.

In view of the foregoing remarks, Applicant submits that this claimed invention, as amended, is neither anticipated nor rendered obvious in view of the prior art references cited against this application. Applicant therefore requests the entry of this

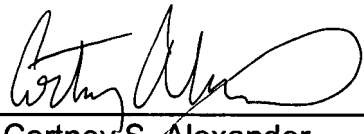
Response, the Examiner's reconsideration of the application, and the timely allowance of the pending claims.

If there are any extensions of time and/or fees due in connection with the filing of this Response, please charge the fees to our Deposit Account No. 06-0916.

Respectfully submitted,

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Dated: May 15, 2007

By: 
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